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Document Number	Document Description	Pages	Document Error
Document 1 attachment	Attachment	15	DOCUMENT COULD NOT BE RETRIEVED! However, it may still be viewable individually.
Document 1 attachment	Attachment	2	DOCUMENT COULD NOT BE RETRIEVED! However, it may still be viewable individually.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,	*	
	*	
Plaintiff,	*	
v.	*	Civil Action Number: 19-1128
	*	
MARLIN RODRIGUEZ DAVID	*	
	*	
Defendant.	*	

COMPLAINT

The United States of America brings this action to recover an administrative fine that has become final, and respectfully states the following:

JURISDICTION AND VENUE

1. This is a civil action to recover a civil fine assessed by the United States of America, through the United States Customs and Border Protection ("CBP"), Department of Homeland Security, in the amount of NINETY-THREE THOUSAND EIGHT HUNDRED FORTY-NINE and 47/100 DOLLARS (\$93,849.47), issued under authority of Section 10 of the Anticounterfeiting Consumer Protection Act, as amended, 19 U.S.C. § 1526(f).
2. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1345 and 1355.
3. Venue is proper pursuant to 28 U.S.C. § 1395 in that the action accrued in this judicial district and the defendant is believed to be a resident and domiciliary of this district.

THE DEFENDANT

4. The defendant is Marlin Rodriguez David, a resident of the Municipality of Ponce, Puerto Rico. Based on information and belief, the defendant resides at Urb. Punta Oro, 3308 Calle La Capitana, in Ponce, Puerto Rico. The defendant is the resident agent of a retail business located

in the Municipality of Ponce and incorporated with the Puerto Rico Department of State as “Koketa, Inc.” **Exhibit A, Emails from the CBP’s Tactical Analytical Unit and Print Screen From the Puerto Rico Department of State.**

FEDERAL STATUTORY AND REGULATORY AUTHORITY

5. A “trademark” is defined as “any word, name, symbol, or device, or any combination thereof – (1) used by a person, or (2) which a person has a bonafide intention to use in commerce and applies to register on the principal register established by this chapter, to identify and distinguish his or her goods, including a unique product, from those manufactured or sold by others and to indicate the source of the goods, even if that source is unknown....” 15 U.S.C. § 1127.

6. The term “mark” includes “any trademark, service mark, collective mark, or certification mark.” 15 U.S.C. § 1127.

7. A “counterfeit trademark” is a “spurious mark which is identical with, or substantially indistinguishable from, a registered mark.” 15 U.S.C. § 1127.

8. The Anticounterfeiting Consumer Protection Act (ACPA), Pub.L.104-153, 110 Stat. 1388, signed into law on July 2, 1996, provides protection to registered trademark holders by directing the seizure and forfeiture of counterfeit trademark merchandise imported into the United States and the issuance of civil penalties against violating importers. The Act (codified at 19 U.S.C. § 1526) provides the following:

(a) Importation prohibited. Except as provided in subsection (d) of this section [addressing a personal use exemption], it shall be unlawful to import into the United States any merchandise of a foreign manufacture if such merchandise, or the label, sign, print, package, wrapper, or receptacle, bears a trademark owned by a citizen of, or by a corporation or association created or organized within, the United States, and registered in the Patent and Trademark Office by a person domiciled in the United States... and if a copy of the certificate of registration of such trademark is filed with the Secretary of the

Treasury [CBP]... unless written consent of the owner of such trademark is produced at the time of making entry

...

(e) Merchandise bearing a counterfeit mark; seizure and forfeiture; disposition of seized goods. Any such merchandise bearing a counterfeit mark (within the meaning of section 1127 of title 15 [defining “mark” to include a trademark]) imported into the United States in violation of the provisions of section 1124 of title 15, shall be seized and, in the absence of written consent of the trademark owner, forfeited for violations of the customs laws. Upon seizure of such merchandise, the Secretary shall notify the owner of the trademark, and shall, after forfeiture, destroy the merchandise.

19 U.S.C. § 1526. See also 19 C.F.R. §§ 133.21-133.26 (regulations implementing statutory seizure and forfeiture provisions).

9. Civil penalties for the infringement of trademark laws are imposed under 19 U.S.C. § 1526(f):

- (1) Any person who directs, assists financially or otherwise, or aids and abets the importation of merchandise for sale or public distribution that is seized under subsection (c) shall be the subject of a civil fine.
- (2) For the first such seizure, the fine shall not be more than the value that the merchandise would have had if it were genuine, according to the manufacturer’s suggested retail price, determined under regulations promulgated by the Secretary.
- (3) For the second seizure and thereafter, the fine shall not be more than twice the value that the merchandise would have had if it been determined to be genuine, as determine under the regulations promulgated by the Secretary.

10. By regulation, the CBP has set the penalty for a first violation at no more than the domestic value of the merchandise as if it had been genuine, based on the Manufacturer’s Suggested Retail Price (“MSRP”). Accordingly, any trademark infringement action may be brought in the appropriate United States District Court to enjoin and seek damages against persons engaged in counterfeiting merchandise. The imposition of a fine is within the discretion of the CBP, and is in addition to any other civil, criminal or other remedy authorized by law. 19 U.S.C. § 1526(f)(4).

FACTS IN SUPPORT OF THE IMPOSITION OF A CIVIL FINE

11. On September 15, 2016, while performing IPR Operation of mail shipments at the DHL Cargo warehouse at the Luis Muñoz Marín International Airport in Puerto Rico, CBP officers inspected and detained a DHL package with Airway Bill # 3996083910, for suspicion of importing counterfeit merchandise. **Exhibit B, DHL Airway Bill, Commercial Invoice.** The DHL package was addressed to the defendant at an address in Ponce, Puerto Rico. The sender shipped the package from Hong Kong, China. Inside the package, a commercial invoice was found identifying the receiver as the defendant, specifying the contents to be “cheap steel decorations” with China as the country of origin, and a total declared value of \$251.60.
12. Upon further inspection of the merchandise, CBP discovered a total of 117 Tous sets, 23 Tous rings, 45 Tous charms, 25 Tous neckless, 60 Tous bracelets, 19 Tous pendants, 66 Tous earrings, 10 Chanel rings, 10 Chanel sets, 10 Minnie Mouse sets and 7 pieces of generic jewelry. These trademarks are protected by Customs Recordation number TMK 07-01247, TMK 07-00005, COP 84-00308 and U.S. Patent and Trademark Office (USPTO) Registration Numbers: 2323330, 3133139 and VA-124-730. **Exhibit C, IPRIS Printout.**
13. CBP determined the merchandise was counterfeit, due to the low quality of the products, the commodity declared in the invoice did not match the merchandise, the packaging method, and the delivery procedures used, which is not common for original merchandise. **Exhibit D, SEACATS Incident Report and Photo.** CBP’s Import Specialist determined that the MSRP of all the goods that were counterfeited totaled a value of \$93,849.47. **Exhibit E, Appraisal.**
14. On November 23, 2016, the CBP Fines, Penalties & Forfeitures Office (“FP&F”) issued a Notice of Seizure to the defendant. **Exhibit F, Notice of Seizure.** The Notice of Seizure described the merchandise as “bearing a counterfeit trademark that is both registered with the

Patent and Trademark Office (PTO) and recorded with Customs and Border Protection. The property contains markings which are substantially indistinguishable from and , therefore, bear a counterfeit design/word/mark as indicated above” and as a result, the merchandise (except the 7 generic pieces of jewelry) was seized and was subject to forfeiture under 19 U.S.C. § 1526(e). The Notice of Seizure notified the defendant of the right to file a petition to seek remission of the forfeiture within thirty (30) days of the notice. CBP did not receive any documents in response to the Notice of Seizure. Thus, on March 24, 2017, CBP forfeited the merchandise. **Exhibit G, Declaration of Administrative Forfeiture.**

15. On October 27, 2017, CBP issued the defendant a CBP Form 5955A, Notice of Penalty or Liquidated Damages Incurred and Demand for Payment, in the amount of \$93,849.47.

Exhibit H, Notice of Penalty. The amount of the civil penalty took into consideration the appraised value of the merchandise and the fact that it was a first time seizure under 19 U.S.C. § 1526. The CBP form that was issued asserted that the property bore counterfeit versions of U.S. registered trademarks in violation of 19 U.S.C. § 1526(f). Consistent with the statute, the amount of the civil penalty was assessed at the value of the merchandise as if it were genuine according to the MSRP.

16. The defendant failed to respond to the Notice of Penalty. Therefore, FP&F sent to the defendant three bills on December 30, 2017, January 13, 2018, and January 27, 2018. **Exhibit I, FP&F Demand Letters.** On January 22, 2017, the defendant, through counsel, requested an extension of time until February 20, 2018, to respond to the penalty notice and the FP&F granted it. In addition, on February 7, 2018, the defendant submitted a power of attorney authorizing counsel to represent the defendant before the CBP. **Exhibit J, Request for Extension of Time, Response and Power of Attorney.** Subsequently, counsel requested an additional extension of

time to file a petition before CBP, which was also approved. **Exhibit K, Second Request for Extension of Time and Response.**

17. On March 5, 2018, CBP received a petition from counsel requesting relief from the assessed penalty on behalf of the defendant. The petition asserted that the defendant is a blue-collar married woman with two (2) children and with a household income of \$11,154.00 per year. Moreover, the petition asserted that the defendant did not purchase the counterfeit merchandise nor did the defendant claim it because she has no interest in the property and that someone must have used her name and address to purchase the merchandise. **Exhibit L, Petition for Relief.**

18. On April 12, 2018, CBP informed the defendant via letter that the case had been mitigated to \$37,539.99, as established in the mitigation guidelines, and that payments was due within thirty (30) days of the letter. **Exhibit M, Response to Petition.** On May 14, 2018, the defendant requested an extension of time to file a supplemental petition with CBP and it was approved until June 8, 2018. **Exhibit N, Request for Extension of Time to File Supplemental Petition and Response.** The defendant neither submitted the supplemental petition nor paid the mitigated penalty amount, for which the defendant was once again billed. **Exhibit O, Additional Bill.**

19. Subsequently, the CBP's Office of Chief Counsel submitted two (2) additional demand letters to the defendant. The defendant did not provide a response or payment as requested in the letters. **Exhibit P, Assistant Chief Counsel Demand Letters and Violator Response.**

CIVIL PENALTY FOR VIOLATION OF 19 U.S.C. § 1526

20. The allegations of paragraphs 1-19 are fully incorporated herein.
21. Because of the above referenced violation of the Anticounterfeiting Consumer Protection Act (ACPA) and the resulting civil monetary penalty, the defendant is indebted to the United States in the amount of \$93,849.47.
22. The United States has made demand upon the defendant for payment, but the defendant has failed to pay the civil monetary penalty.
23. Accordingly, the United States is entitled to a judgment against the defendant in the amount of \$93,849.47, plus applicable interest and costs.

WHEREFORE, the United States requests judgment against the defendant, Marlin Rodriguez David, in the amount of \$93,849.47, together with applicable interest and costs incurred herein, and any other relief the Court may deem just and proper.

Respectfully Submitted,

ROSA E. VÉLEZ-RODRÍGUEZ
UNITED STATES ATTORNEY

/s Jorge L. Matos
Jorge L. Matos
Assistant U.S. Attorney
Civil Division
USDC No. G01307
Torre Chardón, Room 1201
350 Carlos Chardón Avenue
San Juan, PR 00918
787-766-5656
787-766-6219 (Fax)
E-mail: Jorge.L.Matos2@usdoj.gov

Attachment 1:

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Jorge L. Matos
U.S. Attorney's Office, 350 Chardon Ave, Suite 1201
Hato Rey, PR 00918 Tel: (787) 766-5656

DEFENDANTS

Marlin Rodriguez David

County of Residence of First Listed Defendant Ponce, PR
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input checked="" type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Section 10 of the Anticounterfeiting Consumer Protection Act, 19 USC Section 1526(f)
Brief description of cause:
Civil action to recover CBP administrative fine that has become final

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
DEMAND \$ 93,849.47
CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

02/08/2019

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

Attachment 2:

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

CATEGORY SHEET

You must accompany your complaint with this Category Sheet, and the Civil Cover Sheet (JS-44).

Attorney Name (Last, First, MI): Matos, Jorge L.

USDC-PR Bar Number: G01307

Email Address: Jorge.L.Matos@usdoj.gov

1. Title (caption) of the Case (provide only the names of the first party on each side):

Plaintiff: United States of America

Defendant: Marlin Rodriguez David

2. Indicate the category to which this case belongs:

☒ Ordinary Civil Case

☐ Social Security

☐ Banking

☐ Injunction

3. Indicate the title and number of related cases (if any).

4. Has a prior action between the same parties and based on the same claim ever been filed before this Court?

☐ Yes

☒ No

5. Is this case required to be heard and determined by a district court of three judges pursuant to 28 U.S.C. § 2284?

☐ Yes

☒ No

6. Does this case question the constitutionality of a state statute? (See, Fed.R.Civ. P. 24)

☐ Yes

☒ No

Date Submitted: 2/8/19

Exhibit A:

HERNANDEZ, PATRICIA I

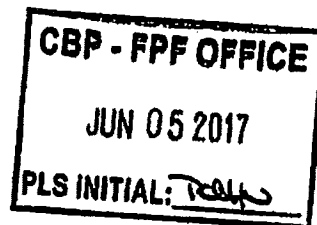
0710

From: ORTIZ-FEBUS, LIZZETTE
Sent: Friday, June 02, 2017 7:42 PM
To: HERNANDEZ, PATRICIA I
Subject: RE: Various IPR Violators

See below info.....

V/r,

CBPO Lizzette Ortiz Febus
San Juan Field Office
San Juan Tactical Analytical Unit
Office: [REDACTED]
Fax: [REDACTED]
BB: [REDACTED]
Email: [REDACTED]
HSDN Email: [REDACTED]



**U.S. Customs and
Border Protection**

From: HERNANDEZ, PATRICIA I
Sent: Friday, June 02, 2017 9:28 AM
To: ORTIZ-FEBUS, LIZZETTE <LIZZETTE.ORTIZ-FEBUS@CBP.DHS.GOV>
Subject: Various IPR Violators

Hola Lizzie

I have various cases that I need information on whether the violators are linked to any business and or have additional address to issue penalties.

- 2016491310148901
 - Marianita Rodriguez david
Urb. Punto Oro
Calle La Capita #3308
Ponce, PR 00728
Phone number: [REDACTED]

Yes, she is linked to KOKETA, INC:

Phone number: [REDACTED] belongs to [REDACTED] with the following address as per his Passport application (22-aug-2016). His occupation listed is businessman for KOKETA INC. Marlin Marie RODRIGUEZ DAVID (Resident Agent – Screen print from Dept of States) is his wife

Passport application:

Address	City	State	Zip
	URB PUNTO		
	ORD 3308		
	CALLE LA		
	CAPITANA	PONCE	PR 00728
Other Names	Care of	Email	Telephone
		[REDACTED]	[REDACTED]

[REDACTED]

3308 CALLE LA CAPITANA
 PONCE, PR 00728-2020, PONCE COUNTY
 Mar 2015 - May 2017

CORPORATION INFORMATION**KOKETA, INC.**[Return to Search Results](#)I want to: **Details****Articles****Annual Filings****Certificates****General Information**

Name	KOKETA, INC.		
Register No.	325465	Status	
Class	Corporation		
Type	For Profit	Jurisdiction	

Resident Agent

Name	Rodríguez David, Marlin M		
Street Address	1947 calle dr.pila el tuque ponce, PR 00728	Mailing Address	

Clasificados 1482 by Periódico La Perla Del Sur - issuu

https://issuu.com/aranzamendi/docs/clasificados_1482r

1. Cached

Translate this page

Se buscan vendedoras de prendas stainless steel, zapatos Makers, Lili Collection, carteras y mucho más. Llámanos para los requisitos [REDACTED] llama si

Clasificados 1542 by Periódico La Perla Del Sur - issuu

https://issuu.com/aranzamendi/docs/clas_1542r/11

1. Cached

Translate this page

También tenemos prendas de hombres. Llama [REDACTED] y con mucho gusto te orientaremos. Somos los #1 en precios y en este mercado. [REDACTED]

Edición 1503 by Periódico La Perla del Sur - issuu

https://issuu.com/periodicolaperladelsur/docs/edicion_1503/56

Exhibit B:

EXPRESS WORLDWIDE **WPX** **DHL**

2018-09-17 01:53:01 www.dhl.com.hk

From : DONGGUAN XINQIAN CO.,LTD
MR PING
ROOM 806,E TAT FACTORY BUILDING
4 HEUNG YIP ROAD WONG CHUK HANG
HONG KONG

Origin:
HKG

To : MARIANITA RODRIGUEZ DAVID
URB PUNTO ORO CALLE,LA CAPITA
#3308 PONCE PR 00728
00728
PONCE
Puerto Rico

Contact:
MARIANITA RO
DRIGUEZ DAVID

PR-PSE-PSE

C

Day Time

Sender Acc.: 954142562

Shipment Weight: **4.85 kg** Pieces: **1 / 1**

Description: CHEAP STEEL DECORATIONS 296PCS



WAYBILL 39 9608 3910



(2L)PR00728+48000001



(J) JD01 4600 0032 1213 4778

COMERCIAL INVOICE

INTERNATIONAL AIR WAYBILL NO. 航空运单号		DATE OF EXPORTATION 出货日期		
302882651		2016-9-12		
SHIPPER/EXPORTER (COMPLETE NAME AND ADDRESS)		CONSIGNEE (COMPLETE NAME AND ADDRESS) 收件人		
托运人		MARIANITA RODRIGUEZ DAVID		
DONGGUAN XINQIAN CO., LTD		URB PUNTO ORO CALLE LA CAPITA		
MR PING		#3308 PONCE PR 00728		
ROOM 806, E TAT FACTORY BUILDING				
4 HEUNG YIP ROAD WONG CHUK HANG		ATTN: MARIANITA RODRIGUEZ DAVID		
COUNTRY OF EXPORT 出口国		COUNTRY OF DESTINATION 进口国		
CHINA		PUERTO RICO		
NO OF	DESCRIPTION OF GOODS	Q'TY	UNIT VALUE	TOTAL VALUE
1	货物描述	数量	单价	总额
	CHEAP STEEL DECORATIONS	296PCS	USD:0.85	USD: 251.60
TOTAL NO OF PKGS		TOTAL INV VALUE		
		USD: 251.60		



SHIPPER'S SIGNATURE & STAMP

DATE: 2016-09-12

Exhibit C:

Intellectual Property Rights (IPR) Search - cbp.gov

Page 1 of 1



DHS.gov

Keyword 
[HELP](#) | [ABOUT](#) | [PRINT](#) |
[PRODUCT ID MANUALS](#) |
[SERVICE REQUESTS](#)

Search

Filter



Effective Date: 8/17/2016
 CBP Recordation Expiration Date: 11/22/2026
 USPTO Registration Expiration Date:
 8/22/2026
 Gray Market Importations Restricted: NO

Trademark

Customs Recordation Number: TMK 07-00005

[BACK](#)

U.S. Patent and Trademark Office Registration Number: 3133139

<p>Title CHANEL</p> <p>Product IC 014. Jewelry and watches.</p> <p>Description Word Mark CHANEL</p> <p>Disclaimer N/A</p> <p>Firm Chanel, Inc.</p> <p>Owner Name Chanel, Inc.</p> <p>Contact Name Adrienne Hahn 9 West 57th Street Chanel Legal Department New York, New York 10019 USA</p> <p>Phone Number [REDACTED]</p> <p>Fax [N/A]</p> <p>Email Address adrienne.hahn@chanelusa.com</p>	<p>CBP Provides IPR Protection For The Following:</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  1. </div> <div style="text-align: center;">  2. </div> </div> <p>Countries of manufacture France, Italy, Switzerland</p> <p>Licensee(s) Chanel Limited, a corporation of the United Kingdom, 5 Barlow Place, LONDON, W1J 6DG; Chanel, a corporation of France, 135, ave Charles de Gaulle, Neuilly-sur-Seine, F- 92200, France; Chanel S.A. Geneva, a corporation of Switzerland, quai du General Guisan 24, Geneva CH-1204, Switzerland; Chanel S. de R.L. and Compagnia Universal de Perfumeria Francesa (CUPFSA) S. de R.L., corporations of Panama, Avenida Samuel Lewis, HSBC Building, 3rd Floor, Panama City, Panama</p> <p>STANDARD CHARACTER MARK</p> <p>Additional Information</p>
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CHANEL

Int. Cl.: 14

Prior U.S. Cls.: 2, 27, 28 and 50

Reg. No. 3,133,139

United States Patent and Trademark Office

Registered Aug. 22, 2006

**TRADEMARK
PRINCIPAL REGISTER**

CHANEL

**CHANEL, INC. (NEW YORK CORPORATION)
9 WEST 57TH STREET
NEW YORK, NY 10019**

**FOR: JEWELRY AND WATCHES, IN CLASS 14
(U.S. CLS. 2, 27, 28 AND 50).**

FIRST USE 0-0-1914; IN COMMERCE 0-0-1925.

**THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.**

**OWNER OF U.S. REG. NOS. 195,360, 2,812,740 AND
OTHERS.**

SER. NO. 78-725,496, FILED 10-3-2005.

REBECCA GAN, EXAMINING ATTORNEY

Intellectual Property Rights () search - cbp.gov

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U.S. Customs and Border Protection
 Securing America's Borders

DHS.gov

Keyword

GO

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[SERVICE REQUESTS](#)

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Effective Date: 5/21/2010

CBP Recordation Expiration Date: 5/28/2020

USPTO Registration Expiration Date:
2/28/2020


Gray Market Importations Restricted: NO

Trademark

Customs Recordation Number: TMK 07-01247

U.S. Patent and Trademark Office Registration Number: 2323330

[BACK](#)

Title DESIGN ONLY (BEAR DESIGN) Product IC 014. PRECIOUS METALS AND THEIR ALLOYS AND OBJECTS MADE OR PLATED WITH PRECIOUS METALS, NAMELY, RINGS BEING JEWELRY, MEDALLIONS, BROOCHES, NECKLACES, SHORT NECKLACES, JEWELRY BRACELETS, FIGURINES, STATUETTES, HAT PINS, ORNAMENTAL LAPEL PINS, JEWELRY LAPEL PINS, TIE PINS, CUFF-LINKS, JEWELRY, COSTUME JEWELRY, PRECIOUS GEMSTONES, WATCHES AND CLOCKS. Description BEAR DESIGN Disclaimer N/A Firm COZEN O'CONNOR / REPRESENTATIVE Owner Name S. TOUS, S.L. Contact Name DAVID SUNSHINE 277 PARK AVENUE NEW YORK, NEW YORK 10172 Phone Number [REDACTED] Fax [REDACTED] Email Address [REDACTED]	CBP Provides IPR Protection For The Following: 1.  Countries of manufacture China, Germany, Hong Kong, India, Italy, Spain, Turkey Licensee(s) TOUS USA, INC. - subsidiary TOUS MIAMI, LLC - subsidiary JOYERIA TOUS, S.A. - subsidiary DESIGN ONLY Additional Information
--	--



U.S. Customs and Border Protection
Securing America's Borders

DHS.gov

IPRS INTELLECTUAL PROPERTY RIGHTS SEARCH

Keyword 84-00308



HELP | ABOUT | PRINT | **PRODUCT**
ID MANUALS | SERVICE REQUESTS

Search

Filter

Effective Date: 9/7/2010

CBP Recordation Expiration Date: 9/7/2030

Gray Market Importations Restricted: NO

Copyright

Customs Recordation Number: COP 84-00308

U.S. Copyright Office Registration Number: VA-124-730

[BACK](#)

Title	DISNEY CHARACTER GUIDE	CBP Provides IPR Protection For The Following:				
Product	PAMPHLET MICKEY MOUSE, MINNIE MOUSE, DUMBO DONALD DUCK, PLUTO DAISY DUCK, HUEY DEWEY, LOUIE					
Description	DISNEY CHARACTER GUIDE, THE THREE LITTLE PIGS, WINNIE THE					
Disclaimer	N/A					
Firm	THE WALT DISNEY COMPANY					
Owner Name	DISNEY ENTERPRISES INC.					
Contact Name	SARAH J. QUISIDO 500 S. BUENA VISTA ST. BURBANK, CA 91521-0646					
Phone Number	[REDACTED]					
Fax	[REDACTED]					
Email Address	[REDACTED]					
		Countries of manufacture United States				
		Licensee(s) ALLISON MANUFACTURING				
		THE FOLLOWING ARE CHARACTER IN THE DISNEY CHARACTER GUIDE: MICKEY MOUSE, MINNIE MOUSE, GOOFY, PLUTO, DONALD DUCK, DAISY DUCK, HUEY,				

Intellectual Property Rights () arch - cbp.gov

Page 2 of 2

DEWEY AND
LOUIE, THE
THREE LITTLE
PIGS, WINNIE
THE POOH,
TIGGER,
EEOYRE, PIGLET,
PINOCCHIO,
CIND- ERELLA,
ONE HUNDRED
AND ONE
DALMATIANS,
LADY AND THE
TRAMP, BAMBI,
THE
ARISTOCATS,
THE RESCUERS,
PETER PAN,
TINKER BELL,
DUMBO, THE
JUNGLE BOOK,
SLEEPING
BEAUTY, ALICE IN
WONDERLAND
AND SHOW
WHITE AND THE
SEVEN DWARFS.
BY LETTER
DATED 5/21/03
REQUEST TO
CHANGE
CONTACT FROM
ANNA SOLANO,
KAREEN O'BRIEN
& LAURA BAY
THEY ARE NO
LONGER WITH
WALT DISNEY
COMPANY.

Additional
Information

Exhibit F:

48 Road 165 KM 1.2
Guaynabo, PR 00968-8000

NOV 23 2016



**U.S. Customs and
Border Protection**

ENF-4-FO:SJ:AP:FP: TC

CERTIFIED MAIL AND RETURN RECEIPT REQUESTED

7015 1520 0002 0317 5977

Marianita Rodríguez David
Urb. Punto Oro, Calle La Capita #3308
Ponce, PR 00728

Re: Case Number 2016-4913-101489-01

Dear Sir/Madam:

This is to officially notify you that U.S. Customs and Border Protection (CBP) seized the property described below at Carolina, Puerto Rico, on September 27, 2016:

- Approximately 117 Tous sets
- Approximately 23 Tous rings
- Approximately 45 Tous charms
- Approximately 25 Tous necklace
- Approximately 60 Tous bracelets
- Approximately 66 Tous earrings
- Approximately 10 Chanel rings
- Approximately 10 Chanel sets
- Approximately 10 Minni Mouse sets
- Approximately 7 generic jewelry

The appraised domestic value of the property is \$1,695.50.

The property described below was seized and is subject to forfeiture under the provisions of Title 19, United States Code, Section (§) 1526(e) (19 U.S.C. § 1526(e)), which prohibits the importation of merchandise bearing a counterfeit trademark that is both registered with the Patent and Trademark Office (PTO) and recorded with CBP. The property contains markings which are substantially indistinguishable from and, therefore, bear a counterfeit design/word/mark as indicated below. CBP Regulations provide that any article imported into the United States bearing a counterfeit trademark shall be seized and, in the absence of the written consent of the trademark owner, forfeited for violation of the Customs laws. Listed below is a description of the seized property, a description of the trademark and the name and address of the trademark owner.

Description of Property: Approximately 117 Tous sets, approximately 23 Tous rings, approximately 45 Tous charms, approximately 25 Tous necklace, approximately 60 Tous bracelets, and approximately 66 Tous earrings

Domestic Value: \$1,426.50

Description of Trademark: Bear Design

Customs and Border Protection Recordation Number: TMK 07-01247

U. S. Patent & Trademark Office Registration Number: 2323330

Trademark Representative Name: David Sunshine

Trademark Representative Address: 277 Park Avenue, New York, NY 10172

Description of Property: Approximately 10 Chanel rings and approximately 10 Chanel sets

Domestic Value: \$118.00

Description of Trademark: Word Mark CHANEL

Customs and Border Protection Recordation Number: TMK 07-00005

U. S. Patent & Trademark Office Registration Number: 3133139

Trademark Representative Name: Adrienne Hahn

Trademark Representative Address: 9 West 57th Street, Chanel Legal Department, New York, NY 10019

Furthermore, the property mentioned below was seized and is subject to forfeiture under the provisions of 19 U.S.C. § 1595a(c)(2), for violation of 17 U.S.C. § 602, because it was found to infringe on a recorded copyright. CBP Regulations provide that any article imported into the United States infringing copies shall be seized and, in the absence of the written consent of the copyright owner, forfeited for violation of the Customs laws. Listed below is a description of the seized property, a description of the copyright and the name and address of the copyright owner.

Description of Property: Approximately 10 Minnie Mouse sets

Domestic Value: \$11.00

Description of Copyright: Disney character guide

U. S. Customs and Border Protection Recordation Number: COP 84-00308

U. S. Copyright Office Registration Number: VA-124-730

Copyright Representative Name: Sarah J. Quisido

Copyright Representative Address: 500 S. Buena Vista St., Burbank, CA 91521-0646

In addition, the property described below was seized and is subject to forfeiture under the provisions of 19 U.S.C. § 1595a(c)(2)(C), because it was used in connection with trafficking of counterfeit goods, in violation of 18 U.S.C. § 2320, which prohibits the importation of merchandise or packaging wherein copyright, trademark, or trade name protections violations are involved.

- Approximately 7 generic jewelry

The facts available to CBP indicate that you might have an interest in the seized property. The purpose of this letter is to advise you of the options available to you concerning this seizure. An important document – an “Election of Proceedings” form is enclosed with this letter. You must choose one of the options outlined below, indicate your choice on the “Election of Proceedings” form, and return it and any other necessary documents to CBP within the allotted time frame.

Should you choose to abandon the property, you must still complete the "Election of Proceedings" form and return it to CBP.

Your options are as follows:

1. **Petition:** You may file a petition with this office within 30 days from the date of this letter in accordance with 19 U.S.C. § 1618 and Title 19, Code of Federal Regulations (C.F.R.), Sections 171.1 and 171.2 (19 C.F.R. §§ 171.1, 171.2), seeking remission of the forfeiture. The petition does not need to be in any specific form, but it must describe the property involved, identify the date and place of the seizure, include all the facts and circumstances which you believe warrant relief from forfeiture, and must include proof of your interest in or claim to the property. Examples of proof of interest include, but are not limited to a car title, loan agreement, or documentation of the source of funds. If you choose this option, you must check Box 1 on the "Election of Proceedings" form.

By completing Box 1 on the "Election of Proceedings" form, you are requesting administrative processing of your case by CBP. You are requesting that CBP refrain from beginning forfeiture proceedings while your petition is pending or that CBP halt administrative forfeiture proceedings, if they have already commenced. However, if CBP has already referred the matter to the U.S. Attorney's Office for the institution of judicial forfeiture proceedings, your petition will be forwarded to the U.S. Attorney for consideration.

If you are dissatisfied with the petition decision (initial petition or supplemental petition), you will have an additional 60 days from the date of the initial petition decision, or 60 days from the date of the supplemental petition decision, or such other time as specified by the Fines, Penalties and Forfeitures Officer to file a claim to the property, along with the required cost bond, requesting referral of the matter to the U.S. Attorney's Office for judicial action. If you do not act within these time frames, CBP may forfeit the property to the United States as authorized by law.

At any point prior to the forfeiture of the property, you may request a referral to the U.S. Attorney by filing a claim and cost bond. *Please see section 4 of this letter for information on how to file a claim and cost bond.* If you take such action after filing a petition for relief, your pending petition will be withdrawn from consideration.

2. **Offer in Compromise:** At any time prior to forfeiture, you may file an offer in compromise in accordance with 19 U.S.C. § 1617 and 19 C.F.R. §§ 161.5 and 171.31. The offer must specifically state that you are making it under the provisions of 19 U.S.C. § 1617. If you are offering money in settlement of the case, you must include payment (bank draft, cashier's check or certified check, drawn on a U.S. financial institution, and made payable to CBP) in the amount of your offer. CBP may only consider the amount of your offer and will return the full offer if it is rejected. *This option may serve to delay the case.* If you choose this option, you must check Box 2 on the "Election of Proceedings" form.

If you chose to submit an offer in compromise and are dissatisfied with the offer decision, you will have an additional 30 days from the date of the offer decision to file a claim and bond requesting a referral for judicial action. If you do not act within the additional 30 days, the property may be forfeited to the United States.

You may also request a referral for judicial action at any point prior to the issuance of the offer in compromise decision. *(Please see section 4 of this letter for information on how to file a claim and cost bond.)* If you take such action, your petition or offer will be considered to have been withdrawn.

If, upon receipt of your offer, the matter has already been referred to the U.S. Attorney for the institution of judicial forfeiture proceedings, your offer will be forwarded to the United States Attorney for consideration as an offer of settlement in the judicial case, as appropriate.

3. **Abandon:** You may abandon the property or state that you have no claim or interest in it. If you choose this option, you should check Box 3 on the "Election of Proceedings" form. The Government may proceed with forfeiture proceedings or address claims from other parties concerning the property, without further involving you.
4. **Court Action:** You may request to have this matter referred to the U.S. Attorney for institution of judicial forfeiture proceedings by notifying the office identified in this letter, in writing, that you do not intend to file a petition or offer in compromise with CBP or post the value of the merchandise to obtain its release on payment (see below). If you choose this option, you should check Box 4 on the "Election of Proceedings" form.

If you chose this option, you must submit to CBP (at the address provided at the end of this letter) a claim and cost bond in the penal sum of \$5,000 or 10 percent of the value of the claimed property, whichever is less, but in no case shall the amount of the bond be less than \$250.00.

If you file the claim and bond, the case will be referred promptly to the appropriate U.S. Attorney for the institution of judicial proceedings in Federal court to forfeit the seized property in accordance with 19 U.S.C. § 1608 and 19 C.F.R. § 162.47. You may then file a petition for relief with the Department of Justice pursuant to Title 28, Code of Federal Regulations, Part 9 (28 C.F.R. Pt. 9). Failure to submit a bond with the claim will render the request for judicial proceedings incomplete, and therefore, defective. This means that the case will NOT be referred to the appropriate U.S. Attorney.

If you wish the Government to seek judicial forfeiture proceedings but cannot afford to post the bond, you should contact the Fines, Penalties & Forfeitures Officer or Asset Forfeiture Officer of CBP (where applicable) so that CBP can make a determination of your financial ability to pay the bond. If a determination of inability to pay is made, the cost of the bond may be waived in its entirety. The case will be referred promptly and you may then file a petition for relief with the Department of Justice pursuant to 28 C.F.R. Pt. 9.

Take No Action: If you choose to do nothing, CBP may seek to forfeit the property. In order to obtain forfeiture, CBP must publish a notice of seizure and intent to forfeit for 30 consecutive days, and after that time the Government acquires full title to the seized property. The first notice will be posted on or about 30 days from the date of this letter.

For property appraised in excess of \$5,000, CBP will post notice of seizure and intent to forfeit on the internet at www.forfeiture.gov for 30 consecutive days.

For property appraised at \$5,000 or less, CBP will post notice of seizure and intent to forfeit in a conspicuous place accessible to the public at the customhouse or Border Patrol sector office (where appropriate) nearest the place of seizure as well as on the internet at www.forfeiture.gov for 30 consecutive days.

Release on Payment: If the seized merchandise is not, by law, prohibited from entry into the commerce of the United States, you may, within 30 days of this letter, submit an offer to pay the full appraised domestic value of the seized property accompanied by the full payment (bank draft, cashier's check or certified check, drawn on a U.S. financial institution, and made payable to CBP) or an irrevocable letter of credit in accordance with 19 U.S.C. § 1614 and 19 C.F.R. § 162.44.

If CBP accepts your offer to substitute release of the seized property on payment, the property will be immediately released, and the payment or letter of credit will be substituted for the seized property. You may still submit a petition, offer in compromise, or file a claim and cost bond requesting that the matter be referred to the U.S. Attorney's Office, and you must check the appropriate box on the "Election of Proceedings" form. The decision letter on your offer will provide you with the time frames for those options.

If, upon receipt of your offer, the matter has already been referred to the U.S. Attorney's Office for the institution of judicial forfeiture proceedings, your offer will be forwarded to the U.S. Attorney for consideration.

Holder of a Lien or Security Interest: If you are a holder of a lien or security interest and you do not file a request for court action (option 4 above), you may avail yourself of any of the other options listed. No relief will be granted to you until after forfeiture, unless your petition, offer or request is accompanied by an agreement to hold the United States, its officers and employees harmless, and a release from the registered owner and/or person from whom the property was seized.

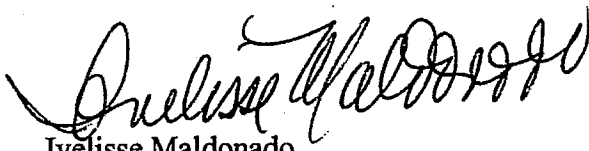
All accompanying documents, including supporting documents, must be in the English language or accompanied by an English language translation and submitted in duplicate.

No matter which box you check on the enclosed "Election of Proceedings" form, you should sign, date and return the form, along with any petition, offer in compromise, or request for judicial forfeiture proceedings if those documents are necessary to support the option you choose. *If you did not receive this form, please call the telephone number below.*

In addition to the seizure and forfeiture liability, you may be liable for a civil penalty in this matter. If you are liable for a civil penalty, details on the civil penalty are in the attached letter; or, if not attached, are being prepared and will be mailed shortly.

All correspondence should be addressed to U.S. Customs and Border Protection, Attn: Fines, Penalties and Forfeitures Office, 48 Carr. 165 STE 3000, City View Plaza II, Guaynabo, PR 00968-8071. Should further information be required, contact Teresita Cruz, Paralegal Specialist, at (787) 729-6915. Inquiries should reference the case number.

Sincerely,



Ivelisse Maldonado
Fines, Penalties, and Forfeitures Officer

Enclosures: Election of Proceedings – Non-CAFRA Form

**A FALSE STATEMENT OR CLAIM MAY SUBJECT A PERSON TO PROSECUTION
UNDER TITLE 18, U.S.C., SECTION 1001 AND/OR 1621, AND MAY BE PUNISHABLE
BY A FINE AND IMPRISONMENT**

ELECTION OF PROCEEDINGS – NON-CAFRA FORM

NOTE: PLEASE READ THE LETTER NOTICE OF SEIZURE AND INFORMATION FOR CLAIMANTS BEFORE YOU FILL OUT THIS FORM. THIS FORM SHOULD BE COMPLETED AND RETURNED TO U.S. CUSTOMS AND BORDER PROTECTION (CBP), FINES, PENALTIES AND FORFEITURES OFFICE, AT 48 CARR 165 STE 3000, CITY VIEW PLAZA II, GUAYNABO, PR 00968-8071.

I understand that property in which I have an interest has been seized by U.S. Customs and Border Protection (CBP)/U.S. Immigration and Customs Enforcement (ICE) under Case Number 2016-4913-101489-01 TC

Check ONLY ONE of the five following choices:

- ☐ 1. **I REQUEST THAT CBP CONSIDER MY PETITION ADMINISTRATIVELY BEFORE FORFEITURE PROCEEDINGS ARE INITIATED.** My petition is attached. By making this request, I understand that I am giving up my right to (1) immediately begin administrative forfeiture proceedings, as provided by 19 U.S.C. § 1607 and 19 C.F.R. § 162.45, or (2) have the case immediately referred to the U.S. Attorney for court action, as provided by 19 U.S.C. § 1608 and 19 C.F.R. § 162.47. If administrative forfeiture has begun, it will be stopped until my petition is considered. However, I understand that *at any time* I can request, in writing, that you begin administrative forfeiture proceedings, and you will continue to consider my petition. I also understand that *at any time* I can file a claim and bond with CBP and CBP's consideration of my petition will stop and the case will be sent to the U.S. Attorney's Office for court action.
- ☐ 2. **I REQUEST THAT CBP CONSIDER MY OFFER IN COMPROMISE ADMINISTRATIVELY BEFORE FORFEITURE PROCEEDINGS ARE INITIATED.** My offer is attached. By making this request, I understand that I am giving up my right to (1) immediately begin administrative forfeiture proceedings, as provided by 19 U.S.C. § 1607 and 19 C.F.R. § 162.45, or (2) have the case immediately referred to the U.S. Attorney for court action, as provided by 19 U.S.C. § 1608 and 19 C.F.R. § 162.47. If administrative forfeiture has begun, it will be stopped until my offer is considered. However, I understand that *while my offer is under consideration* I can request, in writing, that CBP begin administrative forfeiture proceedings, and CBP will continue to consider my offer. I also understand that *while my offer is under consideration* I can file a claim and cost bond with CBP and CBP's consideration of my offer will stop and the case will be sent to the U.S. Attorney's Office for court action.
- ☐ 3. **I ABANDON THE PROPERTY AND I REQUEST THAT CBP BEGIN ADMINISTRATIVE PROCEEDINGS TO FORFEIT THE PROPERTY.** Please immediately begin publication of the notice of seizure and intent to forfeit. I abandon any claim or interest in the property.
- ☐ 4. **I REQUEST THAT CBP SEND MY CASE FOR COURT ACTION.** Please immediately refer the case to the U.S. Attorney's Office for the institution of judicial forfeiture proceedings. I am filing/will file a claim and bond with CBP.
- ☐ 5. **I REQUEST THAT CBP BEGIN ADMINISTRATIVE PROCEEDINGS TO FORFEIT THE PROPERTY.** Please immediately begin publication of the notice of seizure and intent to forfeit the property, and consider any petition or offer in compromise which I may timely file. I understand that within thirty (30) days of the first publication of the notice, I can request that CBP send the case to the U.S. Attorney's Office for institution of judicial forfeiture proceedings.

Name (Print)

Date

Signature

Exhibit G:

**U.S. DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
DECLARATION OF ADMINISTRATIVE FORFEITURE
(Property Valued at \$5,000 or less)**

Case Number: 2016491310148901

Notice of Seizure and Intent to Forfeit was published at www.forfeiture.gov and posted at the Customhouse #48 CARR 165 STE 300008, GUAYNABO, PR, 00968- as required by law on the following dates: 2/10/2017 to 3/11/2017

In accordance with the provisions of Title 19, United States Code, Sections 1607 and 1609 (19 U.S.C. §§ 1607, 1609) and Title 19, Code of Federal Regulations, Section 162.45 (19 C.F.R. § 162.45), the following described property is declared forfeited for violation(s) as listed below.

20164913101489010010000; Seized On 20160927 At the port of SAN JUAN, PR; TOUS SETS;; 1; BX; Valued at \$369.72; For violation of 19USC1526(E); 19USC1595A(C)(2); 17USC602; 18USC2320

20164913101489010020000; Seized On 20160927 At the port of SAN JUAN, PR; TOUS RINGS;; 1; BG; Valued at \$49.68; For violation of 19USC1526(E); 19USC1595A(C)(2); 17USC602; 18USC2320

20164913101489010030000; Seized On 20160927 At the port of SAN JUAN, PR; TOUS CHARMS;; 1; BG; Valued at \$107.1; For violation of 19USC1526(E); 19USC1595A(C)(2); 17USC602; 18USC2320

20164913101489010040000; Seized On 20160927 At the port of SAN JUAN, PR; TOUS NECKLACES;; 1; BG; Valued at \$67.5; For violation of 19USC1526(E); 19USC1595A(C)(2); 17USC602; 18USC2320

20164913101489010050000; Seized On 20160927 At the port of SAN JUAN, PR; TOUS BRACELETS;; 1; BG; Valued at \$189; For violation of 19USC1526(E); 19USC1595A(C)(2); 17USC602; 18USC2320

20164913101489010060000; Seized On 20160927 At the port of SAN JUAN, PR; TOUS EARRINGS;; 1; BG; Valued at \$643.5; For violation of 19USC1526(E); 19USC1595A(C)(2); 17USC602; 18USC2320

20164913101489010070000; Seized On 20160927 At the port of SAN JUAN, PR; CHANEL RINGS;; 1; BG; Valued at \$87.9; For violation of 19USC1526(E); 19USC1595A(C)(2); 17USC602; 18USC2320

20164913101489010080000; Seized On 20160927 At the port of SAN JUAN, PR; CHANEL SETS;; 1; BG; Valued at \$30.1; For violation of 19USC1526(E); 19USC1595A(C)(2); 17USC602; 18USC2320

20164913101489010090000; Seized On 20160927 At the port of SAN JUAN, PR; MINNI MOUSE SETS;; 1; BG; Valued at \$11; For violation of 19USC1526(E); 19USC1595A(C)(2); 17USC602; 18USC2320

20164913101489010100000; Seized On 20160927 At the port of SAN JUAN, PR; GENERIC JEWELRY;; 1; BG; Valued at \$140; For violation of 19USC1526(E); 19USC1595A(C)(2); 17USC602; 18USC2320

IVELISSE MALDONADO

Fines, Penalties & Forfeitures Officer.

Forfeiture Date: MAR 24 2017

Exhibit H:

7045 0640 0002 5935 3578

DEPARTMENT OF HOMELAND SECURITY U.S. CUSTOMS AND BORDER PROTECTION	CASE NUMBER P01 2018490930000201
NOTICE OF PENALTY OR LIQUIDATED DAMAGES INCURRED AND DEMAND FOR PAYMENT	PORT CODE AND NAME 4909 SAN JUAN, PR
19 USC 1618, 19 USC 1623	INVESTIGATION FILE NO.
MARLIN M RODRIGUEZ DAVID 3308 CALLE LA CAPITANA PONCE PR 00726	

DEMAND IS HEREBY MADE FOR PAYMENT OF \$93,849.97, REPRESENTING PENALTIES ASSESSED AGAINST YOU FOR VIOLATION OF LAW OR REGULATION, OR BREACH OF BOND, AS SET FORTH BELOW:

ON SEPTEMBER 27, 2016 U.S CUSTOMS AND BORDER PROTECTION (CBP) SEIZED COUNTERFEIT MERCHANDISE. THE PROPERTY WAS SEIZED UNDER 2016-4933-101489-01. A NOTICE OF SEIZURE WAS SENT TO ALL INTERESTED PARTIES ON NOVEMBER 23, 2016. FORFEITURE PROCEEDINGS WERE INITIATED AND THE PROPERTY WAS DECLARED FORFEITED TO THE GOVERNMENT ON MARCH 24, 2017. A PENALTY IS ASSESSED UNDER 19USC1526 (F), WHICH ALLOWS FOR A CIVIL PENALTY AGAINST "ANY PERSON WHO DIRECTS, ASSISTS FINANCIALLY OR OTHERWISE, OR AIDES OR ABETS THE IMPORTATION OF MERCHANDISE FOR SALE OR PUBLIC DISTRIBUTION" THAT BEARS A COUNTERFEIT MARK. THE AMOUNT IS BASED ON THE MSRP VALUE THE MERCHANDISE WOULD HAVE HAD, IF IT WERE GENUINE.

OTHER PENALTY VIOLATION

LAW OR REGULATION VIOLATED OTHERPEN 19USC1526 (F)	BOND BREACHED BOND TYPE: BOND#:
DESCRIPTION OF BOND:	FORM NUMBER:
AMOUNT:	DATE:
NAME AND ADDRESS OF PRINCIPAL ON BOND	
NAME AND ADDRESS OF SURETY ON BOND	
SURETY NO.	

IF YOU FEEL THERE ARE EXTENUATING CIRCUMSTANCES, YOU HAVE THE RIGHT TO OBJECT TO THE ABOVE ACTION. YOUR PETITION SHOULD EXPLAIN WHY YOU SHOULD NOT BE PENALIZED FOR THE CITED VIOLATION. WRITE THE PETITION AS A LETTER OR IN LEGAL FORM, SUBMIT IN (DUPLICATE) ADDRESSED TO THE COMMISSIONER OF CUSTOMS AND BORDER PROTECTION, AND FORWARD TO THE FP&P OFFICER AT: US CBP / FP&P OPPI CB, #48 CARR 165 STE 300008, GUAYAMA, PR 00968

UNLESS THE AMOUNT HEREBY DEMANDED IS PAID OR A PETITION FOR RELIEF IS FILED WITH THE FP&P OFFICER WITHIN THE INDICATED TIME LIMIT, FURTHER ACTION WILL BE TAKEN IN CONNECTION WITH BOND OR MATTER WILL BE REFERRED TO US ATTORNEY.

TIME LIMIT FOR PAYMENT OR FILING PETITION: 60 DAYS FROM DATE OF THIS NOTICE.

SIGNATURE: for <i>Luisa Maldonado</i> IVELISSE MALDONADO	TITLE FP&P OFFICER	DATE 10/27/2017
BY		

"The Small Business and Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small business about federal agency enforcement activities and rate each agency's responsiveness to small business. If you wish to comment on the enforcement actions of U.S. Customs and Border Protection, call 1-888-REG-FAIR (888-734-3247).

*Please note: The National Ombudsman/RegFair Board process has no effect on your rights or obligations under the procedures of the agency on which you are commenting. You must still comply with all of that agency's processes and procedures."

Exhibit I:



U.S. Customs and Border Protection

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II
GUAYNABO PR 00968

This Bill is a notice of debt currently owed to U.S. Customs and Border Protection (CBP).

BILL TO: RODRIGUEZ DAVID, MARLIN
3308 CALLE LA CAPITANA
PONCE PR 00728



Importer Number:

Bill Number: FP80310356

Bill Date: 01/27/2018

Port of Service/Charge: 4909

For Bill Inquiries Please Contact the CBP Port Office at (787) 729-6915.

Transaction Date	Reference Name	Transaction Identification	Type of Charge	Amount
09/27/2016	FPF CASE	2018490930000201	PENALTY	93849.97

FINAL DEMAND - DELINQUENT ACCOUNT. CLAIM WILL BE REFERRED FOR SANCTIONS AND LEGAL ACTION TEN (10) DAYS FROM THE DATE OF THIS DEMAND.

VIOLATOR: RODRIGUEZ DAVID, MARLIN
VIOLATION(S): OTHERPEN 19USC1526(F)
VIOLATION DATE: 09-27-2016

THIRD NOTICE ISSUED:

Pay Full Amount Due upon Receipt: 93849.97

PAYER'S COPY

CBP FORM 6084SC (03/12)

Enclose this portion with remittance

Bill Date: 01/27/2018
Bill To: RODRIGUEZ DAVID, MARLIN
3308 CALLE LA CAPITANA
PONCE PR 00728

Bill Number: FP80310356
Transaction Identification: 2018490930000201
THIRD NOTICE ISSUED:
Amount Due: 93849.97
Amount Enclosed: _____

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II GUAYNABO PR 00968



PLEASE ADVISE OF ANY ADDRESS CHANGE

CBP FORM 6084SC (03/12)



U.S. Customs and Border Protection

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II
GUAYNABO PR 00968

This Bill is a notice of debt currently owed to U.S. Customs and Border Protection (CBP).

1 1 SP 0.460 P1 TI ***
BILL TO: RODRIGUEZ DAVID, MARLIN
3308 CALLE LA CAPITANA
PONCE PR 00728



Importer Number:

Bill Number: FP80310356

Bill Date: 12/30/2017

Port of Service/Charge: 4909

For Bill Inquiries Please Contact the CBP Port Office at (787) 729-6915.

Transaction Date	Reference Name	Transaction Identification	Type of Charge	Amount
09/27/2016	FPF CASE	2018490930000201	PENALTY	93849.97

APPROPRIATE ACTION WAS NOT TAKEN ON THE ASSESSED CLAIM.
THE CLAIM IS DUE AND PAYABLE WITHIN TEN (10) DAYS FROM
THE DATE OF THIS DEMAND.

VIOLATOR: RODRIGUEZ DAVID, MARLIN
VIOLATION(S): OTHERPEN 19USC1526(F)
VIOLATION DATE: 09-27-2016

CBP - FPF OFFICE
JAN 10 2018
PLS INITIAL: *[Signature]*

FIRST NOTICE

Pay Full Amount Due upon Receipt: 93849.97

PAYER'S COPY

CBP FORM 6084SC (03/12)

Enclose this portion with remittance

Bill Date: 12/30/2017
Bill To: RODRIGUEZ DAVID, MARLIN
3308 CALLE LA CAPITANA
PONCE PR 00728

Bill Number: FP80310356
Transaction Identification: 2018490930000201
FIRST NOTICE
Amount Due: 93849.97
Amount Enclosed: _____

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II GUAYNABO PR 00968

PLEASE ADVISE OF ANY ADDRESS CHANGE

CBP FORM 6084SC (03/12)


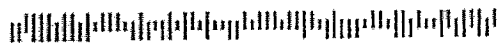


U.S. Customs and Border Protection

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II
GUAYNABO PR 00968

This Bill is a notice of debt currently owed to U.S. Customs and Border Protection (CBP).

1 1 SP 0.460 F1 T1 ***
BILL TO: RODRIGUEZ DAVID, MARLIN
3308 CALLE LA CAPITANA
PONCE PR 00728

Importer Number:
Bill Number: FP80310356
Bill Date: 01/13/2018
Port of Service/Charge: 4909

For Bill Inquiries Please Contact the CBP Port Office at (787) 729-6915.

Transaction Date	Reference Name	Transaction Identification	Type of Charge	Amount
09/27/2016	FPF CASE	2018490930000201	PENALTY	93849.97

THIS CLAIM IS DELINQUENT. IF NOT SATISFIED IMMEDIATELY, SANCTIONS MAY BE PROPOSED AND THE CLAIM REFERRED FOR LEGAL ACTION.

VIOLATOR: RODRIGUEZ DAVID, MARLIN
VIOLATION(S): OTHERPEN 19USC1526(F)
VIOLATION DATE: 09-27-2016

CBP - FPF OFFICE
JAN 22 2018
PLS INITIAL: _____

SECOND NOTICE ISSUED:

Pay Full Amount Due upon Receipt: 93849.97

PAYER'S COPY

CBP FORM 6084SC (03/12)

Enclose this portion with remittance

Bill Date: 01/13/2018
Bill To: RODRIGUEZ DAVID, MARLIN
3308 CALLE LA CAPITANA
PONCE PR 00728

Bill Number: FP80310356
Transaction Identification: 2018490930000201
SECOND NOTICE ISSUED:
Amount Due: 93849.97
Amount Enclosed: _____

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II GUAYNABO PR 00968

PLEASE ADVISE OF ANY ADDRESS CHANGE

CBP FORM 6084SC (03/12)

Exhibit J:

HERNANDEZ, PATRICIA I

From: HERNANDEZ, PATRICIA I
Sent: Thursday, February 01, 2018 2:51 PM
To: [REDACTED]
Cc: CRUZ, TERESITA; RIVAS-TORRES, EFRAIN
Subject: FP&F Case 2018490930000201 (Marlin M. Rodriguez David)

Good morning Mr. Santiago-Pereles, Esq:

I hope this email finds you well.

Reference is being made to an extension request received at this office on January 22, 2018, on behalf of your client Ms. Marlin M. Rodriguez David.

We understand the electrical and postal situation that has happened in the island as a consequence of Hurricane Maria's impact. With this being said, we want to let you know that even though this request was not received timely, an exception is being made. We will grant your extension request until February 20, 2018. However, before I can release any information or take any further action and work hand in hand with you to solve this case, a power of attorney signed by your client and indicating you are her representation is need.

If you require any further assistance feel free to contact me.

May you have a great day!

Thank you,

Patricia I. Hernández

U.S Customs and Border Protection

Paralegal Specialist

Fines, Penalties and Forfeitures Office

Tel: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

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**DEPARTMENT OF HOMELAND SECURITY
US CUSTOMS AND BORDER PROTECTION
PUERTO RICO OFFICE**

MARLIN M. RODRIGUEZ DAVID * CASE NO.: 2018490930000201
PETITIONER *

* NOTICE OF PENALTY
*

MOTION FOR EXTENSION OF TIME

**TO THE HONORABLE COMMISSIONER OF CUSTOMS AND BORDER
PROTECTION:**

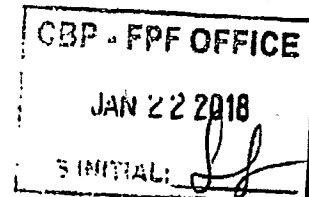
COMES NOW, the petitioner, through the undersigned legal representation, and
very respectfully Requests and Prays:

1- On November 21, 2017, the petitioner received from the US Customs and Border
Protection a notification informing the petitioner of her right to object the penalties.

2- The undersigned counsel was retained to prepare the above mentioned objection
and to represent the petitioner in the case herein.

3- Due to the lack of internet and electric service in our office and to diligently
prepare the required objection the undersigned needs more time to collect the evidence
which will support our petition.

4- For the reasons stated before the undersigned counsel needs an extension of thirty
(30) days, or until February 20, 2018, to analyze the US Customs and Border Protection's
legal contentions, and to discover and collect the evidence in support, to properly prepare
the petitioner's objection.



WHEREFORE it is respectfully requested to the US Customs and Border Protection to GRANT this Motion with such other and further relief that the Agency may deem just and proper.

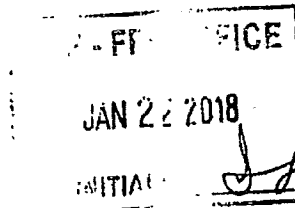
RESPECTFULLY SUBMITTED,

In Ponce, Puerto Rico, for Guaynabo, Puerto Rico, this 16th day of January, 2018.


JOSE RAFAEL SANTIAGO PERELES-Esq.

USDC No. 215708

ATTORNEY FOR PETITIONER
SANTIAGO-PERELES, RINALDI & COLLAZO, P.S.C.
Urb. Vista Alegre
1705 Paseo Las Colonias
Ponce, P.R. 00717-2234



Marlin M. Rodríguez David

February 7, 2018.

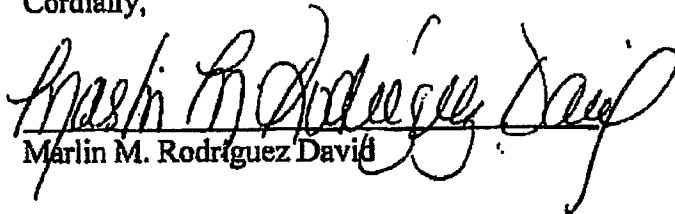
Patricia I. Hernández
Fines, Penalties and Forfeitures Officer
U.S. Customs and Border Protection
48 Road 165 Km 1.2
Guaynabo, P. R. 00968-8000

Re: Case Number 2018490930000201

Dear Mrs. Hernández:

I appoint José R. Santiago Pereles as attorney to represent me before U.S. Customs and Border Protection and its functionaries. Attorney José R. Santiago Pereles is authorized to receive and inspect all the documents and information, to perform any and all acts regarding my case, including the authority to present my allegations and sign all documents, motions, and petitions on my behalf. Also, he is authorized to sign any agreement, consent or document; make appearances before your agency; to attend to every administrative or judicial hearing; to accept or agree according with the law and regulations any matter related with the case herein, and to accept or negotiate on my behalf any resolution or administrative decision, or to make the decisions that in his judgment are correct.

Cordially,



Marlin M. Rodríguez David

Exhibit K:

HERNANDEZ, PATRICIA I

From: HERNANDEZ, PATRICIA I
Sent: Wednesday, February 21, 2018 11:02 AM
To: 'jose santiago'
Subject: RE: FP&F Case 2018490930000201 (Marlin M. Rodriguez David)

Good morning Mr. Santiago

Please be advised that this extension request has been approved until March 2, 2018.

Have a great day.

Thank you,

Patricia I. Hernández

U.S Customs and Border Protection

Paralegal Specialist

Fines, Penalties and Forfeitures Office

[REDACTED]

[REDACTED]

Email: [REDACTED]

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From: jose santiago [REDACTED]
Sent: Tuesday, February 20, 2018 3:33 PM
To: HERNANDEZ, PATRICIA I [REDACTED]
Subject: Re: FP&F Case 2018490930000201 (Marlin M. Rodriguez David)

2/20/18

Dear Mrs. Hernandez:

Attached please find a motion requesting additional time to file the petitioners objection. I am having the flu and I am resting at my home.

Santiago-Pereles, Esq.

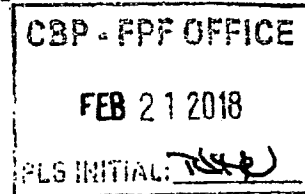
On Thursday, February 01, 2018 02:51:38 PM, HERNANDEZ, PATRICIA I [REDACTED] wrote:

Good morning Mr. Santiago-Pereles, Esq:

I hope this email finds you well.

HERNANDEZ, PATRICIA I

From: jose santiago [REDACTED]
Sent: Tuesday, February 20, 2018 3:33 PM
To: HERNANDEZ, PATRICIA I
Subject: Re: FP&F Case 2018490930000201 (Marlin M. Rodriguez David)
Attachments: Second Motion for Extension of Time- Marlene Rodriguez David.pdf; Marlin attorney appointment.pdf



2/20/18

Dear Mrs. Hernandez:

Attached please find a motion requesting additional time to file the petitioners objection. I am having the flu and I am resting at my home.

Santiago-Pereles, Esq.

On Thursday, February 01, 2018 02:51:38 PM, HERNANDEZ, PATRICIA I [REDACTED] wrote:

Good morning Mr. Santiago-Pereles, Esq:

I hope this email finds you well.

Reference is being made to an extension request received at this office on January 22, 2018, on behalf of your client Ms. Marlin M. Rodriguez David.

We understand the electrical and postal situation that has happened in the island as a consequence of Hurricane Maria's impact. With this being said, we want to let you know that even though this request was not received timely, an exception is being made. We will grant your extension request until February 20, 2018. However, before I can release any information or take any further action and work hand in hand with you to solve this case, a power of attorney signed by your client and indicating you are her representation is need.

If you require any further assistance feel free to contact me.

May you have a great day!

**DEPARTMENT OF HOMELAND SECURITY
US CUSTOMS AND BORDER PROTECTION
PUERTO RICO OFFICE**

MARLIN M. RODRIGUEZ DAVID * CASE NO.: 2018490930000201
PETITIONER *
* NOTICE OF PENALTY
*

SECOND MOTION FOR EXTENSION OF TIME

**TO THE HONORABLE COMMISSIONER OF CUSTOMS AND BORDER
PROTECTION:**

COMES NOW, the petitioner, through the undersigned legal representation, and very respectfully Requests and Prays:

1- On February 1, 2018, the US Customs and Border Protection granted an extension of time until February 20, 2018 to file the petitioner's objection.

2- The undersigned attorney is having health problems (flu related) and need an extension of ten (8) days to file the petitioner's objection.

3- Attached please find Petitioner's Attorney Appointment.

WHEREFORE it is respectfully requested to the US Customs and Border Protection to GRANT this Motion with such other and further relief that the Agency may deem just and proper.

RESPECTFULLY SUBMITTED,

In Ponce, Puerto Rico, for Guaynabo, Puerto Rico, this 20th day of February, 2018.

S/José R. Santiago Pereles
JOSE RAFAEL SANTIAGO PERELES-Esq.
USDC No. 215708

ATTORNEY FOR PETITIONER
SANTIAGO-PERELES, RINALDI & COLLAZO, P.S.C.
Urb. Vista Alegre 1705, Paseo Las Colonias
Ponce, P.R. 00717-2234

E-MAIL 

Exhibit L:

HERNANDEZ, PATRICIA I

From: jose santiago <[REDACTED]>
Sent: Friday, March 02, 2018 4:41 PM
To: HERNANDEZ, PATRICIA I
Subject: Re: RE: FP&F Case 2018490930000201 (Marlin M. Rodriguez David)
Attachments: Petition for relief- Marlene Rodriguez David.pdf

Good Afternoon:

Attached please find the Petition for Relief.

Santiago-Pereles

On Wednesday, February 21, 2018 11:02:25 AM, HERNANDEZ, PATRICIA I <[REDACTED]>

Good morning Mr. Santiago

Please be advised that this extension request has been approved until March 2, 2018.

Have a great day.

Thank you,

Patricia I. Hernández

U.S Customs and Border Protection
Paralegal Specialist

Fines, Penalties and Forfeitures Office

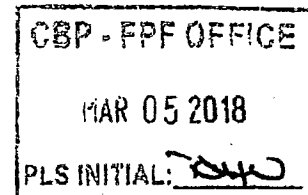
Tel: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

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From: jose santiago <[REDACTED]>
Sent: Tuesday, February 20, 2018 3:33 PM
To: HERNANDEZ, PATRICIA I <[REDACTED]>
Subject: Re: FP&F Case 2018490930000201 (Marlin M. Rodriguez David)



b) Last year family income was \$11,154.00.

c) The petitioner did not receive any notification regarding the Forfeiture proceedings and was unaware that CBP seized a counterfeited merchandise allegedly belonging to her.

d) Even if the petitioner was properly notified, which is denied, the petitioner did not buy the seized merchandise and/or claimed it when arrived to Puerto Rico because she does not has a personal interest on it and was not her property.

e) Apparently another person used petitioner's name and address to order the counterfeited merchandise.

f) The petitioner is not involved in any type of criminal activity, she is a law abiding, working individual with a clean criminal record. She, as can be concluded, is a third party innocent, totally unaware of the acts of a malicious person.

WHEREFORE it is respectfully requested to the US Customs and Border Protection to Relief the petitioner of the assessed penalty with such other and further relief that the Agency may deem just and proper.

RESPECTFULLY SUBMITTED,

In Ponce, Puerto Rico, for Guaynabo, Puerto Rico, this 2nd day of March, 2018.

S/José R. Santiago Pereles
JOSE RAFAEL SANTIAGO PERELES-Esq.
USDC No. 215708
ATTORNEY FOR PETITIONER
SANTIAGO-PERELES, RINALDI & COLLAZO, P.S.C.
Urb. Vista Alegre
1705 Paseo Las Colonias
Ponce, P.R. 00717-2234

E-MAIL: [REDACTED]

Exhibit M:

City View Plz II, 48 Carr 165 OFC 3000
Guaynabo, PR 00968-8046



**U.S. Customs and
Border Protection**

APR 12 2018

7015 0640 0002 5957 3617

ENF 4 FO:SI:AP:FPF PH

Certified Mail

Jose R. Santiago Pereles, Esq.
Santiago-Pereles, Rinaldi & Collazo, P.S.C.
Urb. Vista Alegre
1705 Paseo Las Colinas
Ponce, PR 00717-2234

Re: Cases 2018-4909-300002-01

Dear Mr. Santiago Pereles:

This is in response to your petition letter dated March 2, 2018 and received in the office on March 5, 2018, in which you are requesting relief on behalf of your client Marlin M. Rodriguez David, from an assessed penalty in the amount of \$93,849.97, issued by U.S. Customs and Border Protection (CBP) on October 27, 2017. The penalty was issued under provisions of Title 19 U.S.C. §1526(f), for violation of Title 19 U.S.C. §1526(e) which prohibits the importation of merchandise bearing a counterfeit trademark that is both registered with the Patent and Trademark Office and recorded with CBP.

We have reviewed your petition and the circumstances of your case, and have determined that the violation did occur. In your petition, you claimed that you client was not properly notified and that another person used your clients name and address to order the merchandise seized. However, our records indicate that all notification was dully received and that your client has knowledge of the intended merchandise purpose. Therefore, bases on your allegations, and in light of the case's mitigating circumstances, we have decided to grant relief. The case has been mitigated to \$37,539.99, as established in our mitigation guidelines.

This decision comports with CBP guidelines for this violation. Please be advised that as per Title 19, Code of federal Regulations, Sections 171.61 and 19 CFR 171.62 (a), the administrative mitigation process on this case has been exhausted.

You have thirty (30) days from the date of this letter to file a supplemental petition, a request for a promissory note or submit payment of the mitigated amount. Payment must be made by check or money order, payable to U.S. Customs and Border Protection. Failure to take action will initiate the billing cycle, and will entail the commencement of legal proceedings to ensure collection of the amount owed.

All correspondence should be addressed to U.S. Customs and Border Protection, Attn: FP&F Office, City View Plaza II, 48 Carr. 165 OFC 3000, Guaynabo, PR 00968-8046. If further information is required, contact Patricia Hernandez, Paralegal Specialist, at [REDACTED]. All inquiries should reference the case number.

Sincerely,



Efrain Rivas

Fines, Penalties, and Forfeitures Officer

Exhibit N:

HERNANDEZ, PATRICIA I

From: HERNANDEZ, PATRICIA I
Sent: Tuesday, May 15, 2018 7:58 AM
To: 'jose santiago'
Subject: RE: RE: FP&F Case 2018490930000201 (Marlin M. Rodriguez David)

Good morning Mr. Santiago

Hope this email finds you well.

Be advised that extension of time requested is approved until 6/8/18.

If possible give me a call during the day to touch on some basis.

Thank you,

Patricia J. Hernández

U.S Customs and Border Protection

Paralegal Specialist

Fines, Penalties and Forfeitures Office

[REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

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From: jose santiago <[REDACTED]>
Sent: Monday, May 14, 2018 5:50 PM
To: HERNANDEZ, PATRICIA I <[REDACTED]>
Subject: Re: RE: FP&F Case 2018490930000201 (Marlin M. Rodriguez David)

Good afternoon Mrs. Hernandez.

Attached please find motion for extension of time to file supplemental motion. Confirm receipt.

Santiago-Pereles

On Wednesday, February 21, 2018 11:02:25 AM -04, HERNANDEZ, PATRICIA I <[REDACTED]> wrote:

Good morning Mr. Santiago

Please be advised that this extension request has been approved until March 2, 2018.

HERNANDEZ, PATRICIA I

From: jose santiago [REDACTED]
Sent: Monday, May 14, 2018 5:50 PM
To: HERNANDEZ, PATRICIA I; jose santiago
Subject: Re: RE: FP&F Case 2018490930000201 (Marlin M. Rodriguez David)
Attachments: Motion for Extension of Time supplemental motion- Marlene Rodriguez David.pdf

Good afternoon Mrs. Hernandez.

Attached please find motion for extension of time to file supplemental motion. Confirm receipt.

Santiago-Pereles

On Wednesday, February 21, 2018 11:02:25 AM -04, HERNANDEZ, PATRICIA I [REDACTED] wrote:

Good morning Mr. Santiago

Please be advised that this extension request has been approved until March 2, 2018.

Have a great day.

Thank you,

Patricia I. Hernández
U.S Customs and Border Protection
Paralegal Specialist

Fines, Penalties and Forfeitures Office

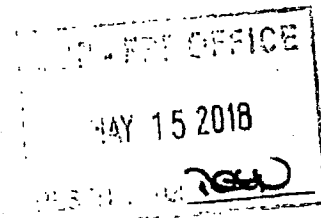
Tel: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

This document and any attachment(s) may contain restricted, sensitive, and/or law enforcement-sensitive information belonging to the U.S. Government. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient.

From: jose santiago [mailto:[REDACTED]]
Sent: Tuesday, February 20, 2018 3:33 PM



**DEPARTMENT OF HOMELAND SECURITY
US CUSTOMS AND BORDER PROTECTION
PUERTO RICO OFFICE**

MARLIN M. RODRIGUEZ DAVID * CASE NO.: 2018490930000201
PETITIONER *

* NOTICE OF PENALTY
*

MOTION FOR EXTENSION OF TIME

**TO THE HONORABLE COMMISSIONER OF CUSTOMS AND BORDER
PROTECTION:**

COMES NOW, the petitioner, through the undersigned legal representation, and
very respectfully Requests and Prays:

1- On April 13, 2018, the petitioner received from the US Customs and Border
Protection a notification informing their determination to the petitioner's objection of
penalties.

2- On said notification US CBP notified the undersigned of the petitioner's right to
file a supplemental petition, a promissory note or submit payment of the mitigated amount.

3- Due to professional obligations and health problems the subscribing attorney was
unable to discuss said notification with the petitioner.

4- For the reasons stated before the undersigned counsel needs an extension of
fifteen (15) days, or until May 29, 2018 to notify petitioner's position.

WHEREFORE it is respectfully requested to the US Customs and Border
Protection to GRANT this Motion with such other and further relief that the Agency may

deem just and proper.

RESPECTFULLY SUBMITTED,

In Ponce, Puerto Rico, for Guaynabo, Puerto Rico, this 14th day of May, 2018.

SJosé R. Santiago Pereles

JOSE RAFAEL SANTIAGO PERELES-Esq.

USDC No. 215708

ATTORNEY FOR PETITIONER

SANTIAGO-PERELES, RINALDI & COLLAZO, P.S.C.

Urb. Vista Alegre

1705 Paseo Las Colonias

Ponce, P.R. 00717-2234

E-MAIL: [REDACTED]

USPS TRACKING#



9505 7196 4121 73



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

20184909 3000201 PH

* Sender: Please print your name, address, and ZIP+4® in this box*

US Customs and Border Protection
Attn: FP & F Office
#48 Carr 165 STE 3000
City View Plaza II
Guaynabo PR 00968-8071

2018 APR 20 PM
US
CUSTOMS
AND
BORDER
PROTECTION
United States
Postal Service

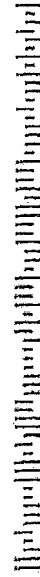


Exhibit O:


**U.S. Customs and
Border Protection**

 US CBP / FP&F OFFICE
STATE ROAD 165 KILOMETER

 1
GUAYNABO PR 00968

This Bill is a notice of debt currently owed to U.S. Customs and Border Protection (CBP).

 2 1 SP 0.470 P1 TI
BILL TO: RODRIGUEZ DAVID, MARLIN M
3308 CALLE LA CAPITANA
PONCE PR 00728 US


Importer Number:

Bill Number: FP00000722

Bill Date: 07/07/2018

Port of Service/Charge: 4909

For Bill Inquiries Please Contact the CBP Port Office at (787) 729-6915.

Transaction Date	Reference Name	Transaction Identification	Type of Charge	Amount
10/27/2017	FPF CASE	2018490930000201	PENALTY	93849.97

FINAL DEMAND - DELINQUENT ACCOUNT. CLAIM WILL BE REFERRED FOR SANCTIONS AND LEGAL ACTION TEN (10) DAYS FROM THE DATE OF THIS DEMAND.

VIOLATOR: RODRIGUEZ DAVID, MARLIN M

VIOLATION DATE: 09-27-2016

THIRD NOTICE ISSUED

Pay Full Amount Due upon Receipt: 93849.97

PAYER'S COPY

CBP FORM 6084-SC (03/12)

Enclose this portion with remittance

 Bill Date: 07/07/2018
Bill To: RODRIGUEZ DAVID, MARLIN M
3308 CALLE LA CAPITANA
PONCE PR 00728 US

 Bill Number: FP00000722
Transaction Identification: 2018490930000201
THIRD NOTICE ISSUED
Amount Due: 93849.97
Amount Enclosed: _____

 US CBP / FP&F OFFICE
STATE ROAD 165 KILOMETER 1
GUAYNABO PR 00968

PLEASE ADVISE OF ANY ADDRESS CHANGE

CBP FORM 6084SC (03/12)

Exhibit P:

48 Carr 165, Ste. 3000
City View Plaza II
Guaynabo, PR 00968-8071



**U.S. Customs and
Border Protection**

PR-2018-00463 DME

September 6, 2018

Jose R. Santiago Pereles, Esq.
Santiago-Pereles, Rinaldi & Collazo, P.S.C.
Urb. Vista Alegre
1705 Paseo Las Colinas
Ponce, PR 00717-2234

Re: Notice of Penalty Incurred and Demand for Payment in the Amount of
\$93,849.97 (FP&F Case No. 2018-4909-300002-01)

Dear Mr. Santiago,

On October 27, 2017, U.S. Customs and Border Protection (CBP) sent your client, Marlin M. Rodriguez David (Rodriguez), Customs Form 5955A, "Notice of Penalty or Liquidated Damages Incurred and Demand for Payment," in the amount of \$93,849.97, indicating that a penalty had been assessed against her pursuant to 19 U.S.C. § 1526(f) for a trademark violation as she imported counterfeit merchandise for commercial purposes. In addition to the penalty notice, three additional bills were sent to her on December 30, 2017, January 13, 2018, and January 27, 2018. On March 5, 2018, CBP received a petition in which you requested relief from the assessed penalty on behalf of Rodriguez. On April 12, 2018, CBP informed you via letter that the case had been mitigated to \$37,539.99, as established in the mitigation guidelines, and that payment was due within thirty (30) days of the letter. CBP did not receive payment on the mitigated amount and on July 7, 2018 and additional bill was sent to Rodriguez.

According to CBP records, on September 27, 2016, CBP seized approximately three hundred and seventy three pieces of jewelry for trademark infringement in violation of 19 U.S.C. §1526(e), because the articles seized bore unauthorized use of an American trademark recorded with CBP. On March 24, 2017, CBP administratively forfeited the counterfeit merchandise. Subsequently, on October 27, 2017, the above-described penalty was assessed against your client, Rodriguez. To date, CBP has not received payment from Rodriguez in response to the penalty notice or bills.

Within 30 days of your receipt of this letter, please contact the attorney listed below to discuss the status of this case. Your client has the option to make full payment of the

penalty; however, she may also make a supplemental petition if certain requirements are met. The attorney can discuss these requirements with you when you contact her.

If we do not receive a response within 30 days, we will ask that the United States Attorney file a complaint against your client, Rodríguez, in her personal capacity, in U.S. District Court, District of Puerto Rico, for collection of the full amount of the penalty.

We would appreciate your cooperation to avoid litigation. For your reference, we have enclosed copies of the original penalty notice and a sample of the bills that were sent to Rodríguez.

Should you have any questions regarding this matter, please contact Diana M. Espinosa Núñez, of this office, at 787-729-7472 ext. 3. All correspondence with regard to this matter should be sent to Ms. Espinosa as well. **We strongly encourage you to either have your client submit payment of the penalty in its entirety or contact Ms. Espinosa within 30 days to avoid litigation.**

Sincerely,



Aida Orenstein Cardona
Assistant Chief Counsel

Enclosures

"The Small Business and Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small business about federal agency enforcement activities and rate each agency's responsiveness to small business. If you wish to comment on the enforcement actions of U.S. Customs and Border Protection, call 1-888-REG-FAIR (888-734-3247).

"Please note: The National Ombudsman/RegFair Board process has no effect on your rights or obligations under the procedures of the agency on which you are commenting. You must still comply with all of that agency's processes and procedures."

DEPARTMENT OF HOMELAND SECURITY		U.S. CUSTOMS AND BORDER PROTECTION		NOTICE OF PENALTY OR LIQUIDATED DAMAGES INCURRED AND DEMAND FOR PAYMENT		19 USC 1616, 19 USC 1623		WILLIAM M RODRIGUEZ DAVID		1388 CATTLE LN CAPITOL		FOUCH 00728	
CASE NUMBER 701		2018090310000201		PORT CODE AND NAME 4509 SAN JUAN, PR		INVESTIGATION FILE NO.							
<p>DEMAND IS HEREBY MADE FOR PAYMENT OF \$33,849.97, REPRESENTING PENALTIES ASSESSED AGAINST YOU FOR VIOLATION OF LAW OR REGULATION, OR BREACH OF BOND, AS SET FORTH BELOW:</p> <p>ON SEPTEMBER 27, 2016 U.S. CUSTOMS AND BORDER PROTECTION (CBP) SEIZED COUNTERFEIT MERCHANDISE. THE PROPERTY WAS SEIZED UNDER 2016-4913-101485-01. A NOTICE OF SEIZURE WAS SENT TO ALL INTERESTED PARTIES ON NOVEMBER 23, 2016. TO THE GOVERNMENT ON MARCH 24, 2017. A PENALTY IS ASSESSED UNDER 19USC1526 (F), WHICH ALLOWS FOR A CIVIL PENALTY AGAINST ANY PERSON WHO DIRECTLY, ASSISTED FINANCIALLY OR OTHERWISE, OR AIDED IN ABUSE THE INFORMATION OF MERCHANDISE FOR SALE OR PUBLIC DISTRIBUTION THAT BEARS A COUNTERFEIT MARK. THE AMOUNT IS BASED ON THE NET VALUE THE MERCHANDISE WOULD HAVE HAD, IF IT WERE GENUINE.</p> <p>OTHER PENALTY VIOLATION</p>													
LAW OR REGULATION VIOLATED		OTHER PENALTY VIOLATION		BOND TYPE		BOND NUMBER		AMOUNT		DATE			
19USC1526 (F)				BOND TYPE		BOND NUMBER		AMOUNT		DATE			
<p>NAME AND ADDRESS OF PRINCIPAL OR BOND</p> <p>NAME AND ADDRESS OF SURETY ON BOND</p> <p>SURETY NO.</p>													
<p>IF YOU FEEL THESE ARE EXAGGERATING CIRCUMSTANCES, YOU HAVE THE RIGHT TO OBJECT TO THE ABOVE ACTION. YOUR PETITION SHOULD EXPLAIN WHY YOU SHOULD NOT BE PENALIZED FOR THE CITED VIOLATION. WRITE THE PETITION AS A LETTER ON IN LEGAL FORM, SUBMIT IN (DUPLICATE) ADDRESS TO THE COMMISSIONER OF CUSTOMS AND BORDER PROTECTION, AND FORWARD TO THE PPAP OFFICE AT: US CBP / PPAP DEPT. CBP, 440 CAMEL LEE STB 100001, CHANNOY, PR 00983</p> <p>UNLESS THE AMOUNT HEREIN DEMAND IS PAID OR A PETITION FOR RELIEF IS FILED WITH THE PPAP OFFICE WITHIN THE INDICATED TIME LIMIT, FURTHER ACTION WILL BE TAKEN IN CONNECTION WITH BOND OR LETTER WILL BE REFERRED TO US ATTORNEY.</p> <p>TIME LIMIT FOR PAYMENT OR FILING PETITION, 60 DAYS FROM DATE OF THIS NOTICE.</p>													
SIGNATURE:		TITLE		DATE		PPAP OFFICE		10/27/2017					

7015 0940 0002 5935 3554



U.S. Customs and Border Protection

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II
GUAYNABO PR 00968

This Bill is a notice of debt currently owed to U.S. Customs and Border Protection (CBP)

1 1 SP 0.460 P1 T1 ***
BILL TO: RODRIGUEZ DAVID, MARLIN
3308 CALLE LA CAPITANA
PONCE PR 00728

Importer Number
Bill Number FP80310356
Bill Date 12/30/2017
Port of Service/Charge 4909

For Bill Inquiries Please Contact the CBP Port Office at (787) 729-6915

Transaction Date	Reference Name	Transaction Identification	Type of Charge	Amount
09/27/2016	FPF CASE	2018490930000201	PENALTY	93849.97

APPROPRIATE ACTION WAS NOT TAKEN ON THE ASSESSED CLAIM
THE CLAIM IS DUE AND PAYABLE WITHIN TEN (10) DAYS FROM
THE DATE OF THIS DEMAND

VOLATOR RODRIGUEZ DAVID, MARLIN
VIOLATION(S): OTHERPEN 19USC1526(F)
VIOLATION DATE: 09-27-2016

CBP - FPF OFFICE
JAN 10 2018
PLS INITIAL: *PL*

FIRST NOTICE

Pay Full Amount Due upon Receipt: 93849.97

PAYER'S COPY

CBP FORM 6084SC (03/12)

Enclose this portion with remittance

Bill Date: 12/30/2017
Bill To: RODRIGUEZ DAVID, MARLIN
3308 CALLE LA CAPITANA
PONCE PR 00728

Bill Number: FP80310356
Transaction Identification: 2018490930000201
FIRST NOTICE
Amount Due: 93849.97
Amount Enclosed:

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II GUAYNABO PR 00968

PLEASE ADVISE OF ANY ADDRESS CHANGE

CBP FORM 6084SC (03/12)



U.S. Customs and Border Protection

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II
GUAYNABO PR 00968

This Bill is a notice of debt currently owed to U.S. Customs and Border Protection (CBP)

1 1 SP 0-460 P1 T1 ***	
BILL TO:	RODRIGUEZ, DAVID, MARLIN
	3308 CALLE LA CAPITANA
	PONCE PR 00728

Importer Number
Bill Number FP80310356
Bill Date 01/13/2018
Port of Service/Charge 4909

For Bill Inquiries Please Contact the CBP Port Office at (787) 729-6915

Transaction Date	Reference Name	Transaction Identification	Type of Charge	Amount
09/27/2016	FPF CASE	2018490930000201	PENALTY	93849.97

THIS CLAIM IS DELINQUENT. IF NOT SATISFIED IMMEDIATELY, SANCTIONS MAY BE PROPOSED AND THE CLAIM REFERRED FOR LEGAL ACTION

VIOLATOR: RODRIGUEZ, DAVID, MARLIN
VIOLATION(S): OTHERPEN 19USC1526(F)
VIOLATION DATE: 09-27-2016

CBP - FPF OFFICE

JAN 22 2018

PLS INITIAL: _____

SECOND NOTICE ISSUED.

Pay Full Amount Due upon Receipt: 93849.97

PAYER'S COPY

CBP FORM 6084SC (03/12)

Enclose this portion with remittance

Bill Date: 01/13/2018
Bill To: RODRIGUEZ, DAVID, MARLIN
3308 CALLE LA CAPITANA
PONCE PR 00728

Bill Number: FP80310356
Transaction Identification: 2018490930000201
SECOND NOTICE ISSUED:
Amount Due: 93849.97
Amount Enclosed: _____

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II GUAYNABO PR 00968

PLEASE ADVISE OF ANY ADDRESS CHANGE

CBP FORM 6084SC (03/12)



U.S. Customs and Border Protection

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II
GUAYNABO PR 00968

This Bill is a notice of debt currently owed to U.S. Customs and Border Protection (CBP)

1 1 SP 6.470 P1 T1 ***	
BILL TO:	RODRIGUEZ DAVID, MARLIN
	3308 CALLE LA CAPITANA
	PONCE PR 00728

Importer Number
Bill Number FP80310356
Bill Date 01/27/2018
Port of Service/Charge 4909

For Bill Inquiries Please Contact the CBP Port Office at (787) 729-6915

Transaction Date	Reference Name	Transaction Identification	Type of Charge	Amount
09/27/2016	FPF CASE	2018490930000201	PENALTY	93849.97
<p>FINAL DEMAND - DELINQUENT ACCOUNT. CLAIM WILL BE REFERRED FOR SANCTIONS AND LEGAL ACTION TEN (10) DAYS FROM THE DATE OF THIS DEMAND</p> <p>VIOLATOR RODRIGUEZ DAVID, MARLIN VIOLATION(S) OTHERPEN 19USC1526(F) VIOLATION DATE 09-27-2016</p>				

THIRD NOTICE ISSUED

Pay Full Amount Due upon Receipt: 93849.97

PAYER'S COPY

CBP FORM 6084SC (03/12)

Enclose this portion with remittance

Bill Date: 01/27/2018
Bill To: RODRIGUEZ DAVID, MARLIN
3308 CALLE LA CAPITANA
PONCE PR 00728

Bill Number: FP80310356
Transaction Identification: 2018490930000201
THIRD NOTICE ISSUED
Amount Due: 93849.97
Amount Enclosed:

US CBP / FP&F OFFICE
#48 CARR 165 STE 300008
CITY VIEW PLAZA II GUAYNABO PR 00968

PLEASE ADVISE OF ANY ADDRESS CHANGE

CBP FORM 6084SC (03/12)



U.S. Customs and Border Protection

US CBP / FP&F OFFICE
STATE ROAD 165 KILOMETER

1
GUAYNABO PR 00968

This Bill is a notice of debt currently owed to U.S. Customs and Border Protection (CBP)

BILL TO	2 1 SP 0 470 P1 T1
	RODRIGUEZ DAVID, MARLIN M 3308 CALLE LA CAPITANA PONCE PR 00728 US

Importer Number
Bill Number: FP00000722
Bill Date: 07/07/2018
Port of Service/Charge: 4909

For Bill Inquiries Please Contact the CBP Port Office at (787) 729-6915

Transaction Date	Reference Name	Transaction Identification	Type of Charge	Amount
10/27/2017	FPF CASE	2018490930000201	PENALTY	93849.97
<p>FINAL DEMAND - DELINQUENT ACCOUNT CLAIM WILL BE REFERRED FOR SANCTIONS AND LEGAL ACTION TEN (10) DAYS FROM THE DATE OF THIS DEMAND</p> <p>VIOLATOR: RODRIGUEZ DAVID, MARLIN M VIOLATION DATE: 09-27-2016</p>				

THIRD NOTICE ISSUED

Pay Full Amount Due upon Receipt: 93849.97

PAYER'S COPY

CBP FORM 6084SC (03/12)

Enclose this portion with remittance

Bill Date: 07/07/2018
Bill To: RODRIGUEZ DAVID, MARLIN M
3308 CALLE LA CAPITANA
PONCE PR 00728 US

Bill Number: FP00000722
Transaction Identification: 2018490930000201
THIRD NOTICE ISSUED
Amount Due: 93849.97
Amount Enclosed: _____

US CBP / FP&F OFFICE
STATE ROAD 165 KILOMETER 1
GUAYNABO PR 00968

PLEASE ADVISE OF ANY ADDRESS CHANGE

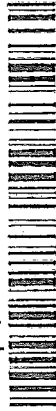
CBP FORM 6084SC (03/12)

SENDER: COMPLETE THIS SECTION

- ☐ Complete items 1, 2, and 3.
☐ Print your name and address on the reverse so that we can return the card to you.
☐ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jose R. Santiago Peres
 Urb. Vista Alegre
 1705 Pasco Las Colinas
 Urb. Vista Alegre
 Ponce, PR 00717-2234



9590 9402 3874 8060 0572 99

2. Article Number (transfer from service label)

7013 0600 0001 7350 1851

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent☐ Addressee☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No

If YES, enter delivery address below:

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☒ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING#



9590 9402 3874 8060 0572 99

United States
Postal Service

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

* Sender: Please print your name, address, and ZIP+4® in this box *

U.S. CUSTOMS AND
BORDER PROTECTION
ASSISTANT CHIEF COUNSEL
CITY VIEW PLAZA II
48 CARR 165 OFC 3000
GUAYNABO, P.R. 00968-8046

Attn: Diana Espinoza
PE - 2018 - 00463

48 Carr 165, Ste. 3000
City View Plaza II
Guaynabo, PR 00968-8071



U.S. Customs and
Border Protection

PR-2018-00463 DME

October 17, 2018

Jose R. Santiago Pereles, Esq.
Santiago-Pereles, Rinaldi & Collazo, P.S.C.
Urb. Vista Alegre
1705 Paseo Las Colinas
Ponce, PR 00717-2234

FINAL NOTICE

Re: Notice of Penalty Incurred and Demand for Payment in the Amount of \$93,849.97
(FP&F Case No. 2018-4909-300002-01)

Dear Mr. Santiago,

On October 27, 2017, U.S. Customs and Border Protection (CBP) sent your client, Marlin M. Rodriguez David (Rodriguez), Customs Form 5955A, "Notice of Penalty or Liquidated Damages Incurred and Demand for Payment," in the amount of \$93,849.97, indicating that a penalty had been assessed against Rodriguez pursuant to 19 U.S.C. § 1526(f) for a trademark violation as she imported counterfeit merchandise for commercial purposes. In addition to the penalty notice, three additional bills were sent to your client on December 30, 2017, January 13, 2018, and January 27, 2018.

On September 6, 2018, we sent to you a demand letter, which was received on September 12, 2018. However, we have not received any response. We request that you contact me to discuss the status of this case.

Please be advised that if we do not hear from you within 30 days of your receipt of this letter we will ask that the United States Attorney file a complaint against your client in the U.S. District Court, District of Puerto Rico, for collection of the full amount of the penalty.

Should you have any questions regarding this matter, please contact Attorney Diana M. Espinosa-Núñez, of this office, at 787-729-7472 ext. 3. All correspondence with regard to this matter should be sent to Attorney Espinosa-Núñez as well.

Sincerely,

Aida Orenstein Cardona
Assistant Chief Counsel



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

48 46134 6134 8079 0000 4002 2046 0656 9590

United States
Postal Service

• **Sender:** Please print your name, address, and ZIP+4® in this box.

U.S. CUSTOMS AND
BORDER PROTECTION
ASSISTANT CHIEF COUNSEL
CITY VIEW PLAZA II
48 CARR 165 OFC 3000
GUAYNABO, P.R. 00968-8046

FD-2018-00423

SENDER: COMPLETE THIS SECTION

- ☒ Complete items 1, 2, and 3.
☒ Print your name and address on the reverse so that we can return the card to you.
☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jose Santiago-Pereira
 Urb. Vista Alegre
 1705 Paseo Las Colinas
 Ponce, PR 00717-2234



9590 9402 4000 8079 6134 48

2. Article Number (transfer from service label)

7015 0640 0002 5932 4301

PS Form 3811, July 2015 PSN 7530-02-000-9353

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ☐ Agent

B. Received by ☐ Addressee

C. Date of Delivery
 11/26/18 10:21:18

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

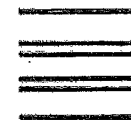
- ☐ Adult Signature Restricted Delivery
☒ Certified Mail
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery
☐ Priority Mail Express
☐ Registered Mail
☐ Registered Mail Restricted Delivery
☒ Return Receipt for Merchandise
☐ Signature Confirmation
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING #



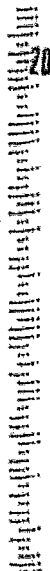
9590 9402 3874 8060 0572 99



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

CITY VIEW PLAZA
MAIL ROOM
RECEIVED



2018 SEP 17 A 8:29

* Sender: Please print your name, address, and ZIP+4® in this box *

U.S. CUSTOMS AND
BORDER PROTECTION
ASSISTANT CHIEF COUNSEL
CITY VIEW PLAZA II
48 CARR 165 OFC 3000
GUAYMA, P.R. 00958-8048

Attn: Diana Espinoza

PE-298-00423

SENDER: COMPLETE THIS SECTION

- ☐ Complete items 1, 2, and 3.
- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jose R. Santiago Reyes
 Urb. Vista Alegre
 1705 Páscar Lozano
 Urb. Vista Alegre
 Ponce, PR 00717-2234



9590 9402 3874 8060 0572 99

2. Article Number (Transfer from service label)

7025 0600 0004 7550 2551

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

☒ Signature ☐ Agent

☒ Received by (Printed Name) ☐ Addressee

Hyacinthe Rivera ☐ C. Date of Delivery

☐ If delivery address different from item 1 ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature ☐ Priority Mail Express®
- ☐ Adult Signature Restricted Delivery ☐ Registered Mail™
- ☒ Certified Mail® ☐ Registered Mail Restricted Delivery
- ☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise
- ☐ Collect on Delivery ☐ Signature Confirmation™
- ☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation™

Domestic Return Receipt :